

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Kathy Reaves,

Case No. 4:22-cv-00318-TLW-TER

PLAINTIFF

v.

Order

Charles M. Dickens, et al.,

DEFENDANTS

Plaintiff Kathy Reaves, proceeding *pro se*, filed this civil action against numerous South Carolina, Georgia, and federal officials raising various claims stemming from an arrest warrant that she alleges was improperly entered into the background check system. She details her claims in a 75-page Amended Complaint that names thirty-nine defendants. ECF No. 23. The matter now comes before the Court for review of the Report and Recommendation (Report) filed by the magistrate judge to whom this case was assigned. ECF No. 49.

In the Report, the magistrate judge recommends that the Amended Complaint be partially dismissed. Specifically, the magistrate judge recommends dismissing with prejudice and without issuance and service of process Plaintiff's claims against the following twenty-eight defendants: Nell, Williamson, Keel, Shwedo, Munnerlyn, Roundtree, Donald, Davis, Reynolds, Melvin, McMaster, Kemp, Wray, Woods, Beasley, Trawick, Wilson, Potsnell, Edwards, Clark, Jordan, Sizemore, Xernona

Thomas, Fisher, Blankenship, Crews, Hazelwood, and Spearman.¹ ECF No. 49 at 20.

After the magistrate judge filed the Report, Plaintiff filed objections. ECF No. 57.

This matter is now ripe for decision.

In reviewing the Report, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Hous. Auth. of City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992)

(citations omitted).

In light of the standard set forth in *Wallace*, the Court has reviewed, *de novo*, the Report and the objections. After careful review of the Report and the objections, for the reasons stated by the magistrate judge in the thorough and detailed Report, the Report is **ACCEPTED**. Plaintiff's objections are **OVERRULED**. Defendants Nell, Williamson, Keel, Shwedo, Munnerlyn, Roundtree, Donald, Davis, Reynolds, Melvin,

¹ The magistrate judge also recommends dismissing the claims against Norris, but Plaintiff has already voluntarily dismissed her claims against Norris and another defendant (Crosby). ECF Nos. 38, 40. Thus, it is not necessary for the Court to address Plaintiff's claims against those defendants.

The magistrate judge also authorized service against the remaining nine defendants in a separate order. ECF No. 47.

McMaster, Kemp, Wray, Woods, Beasley, Trawick, Wilson, Potsnell, Edwards, Clark, Jordan, Sizemore, Xernona Thomas, Fisher, Blankenship, Crews, Hazelwood, and Spearman are hereby **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

s/ Terry L. Wooten

Terry L. Wooten
Senior United States District Judge

July 8, 2022
Columbia, South Carolina